

REMARKS

The Office Action dated March 24, 2009, has been received and carefully considered. Reconsideration of the pending objections/rejections in the present application is respectfully requested based on the following remarks.¹

I. THE EXAMINER INTERVIEW

At the outset, the undersigned Applicants' representative thanks the Examiner for the courtesies extended during the telephonic interview conducted on June 24, 2009. During the telephonic interview, the Examiner requested that a terminal disclaimer referencing co-pending U.S. Patent Application No. 10/973,268 be filed in the present application. Such a terminal disclaimer is being filed herewith.

II. THE ALLOWANCE OF CLAIMS 163-209

Applicants note with appreciation the indication on page 2 of the Office Action that claims 163-209 have been allowed.

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions made by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., assertions regarding dependent claims, whether a reference constitutes prior art, whether references are legally combinable for obviousness purposes) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

III. THE INDEFINITENESS REJECTION OF CLAIMS 151-162

On page 2 of the Office Action, claims 151-162 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention. This rejection is hereby respectfully traversed.

The Examiner asserts that claim 151 is indefinite as to what Applicants meant by the term "the memory device samples write data." Applicants respectfully disagree. In particular, Applicants respectfully submit that the term "the memory device samples write data" is definite when read in context with the remainder of claim 151. That is, claim 151 recites that, "in response to the second operation code, the memory device samples write data corresponding to the write operation at a time determined using the value stored in the register." This recited limitation is describing what occurs in response to the second operation code, which is one of the operation codes that are sampled synchronously with respect to the external clock signal by the input receivers, as claimed. The claimed memory device includes such input receivers. More specifically, the claimed memory device comprises an array of memory cells, a clock receiver to receive an external clock signal, a register

to store a value, and input receivers to sample operation codes synchronously with respect to the external clock signal, wherein one of the operation codes is a second operation code that instructs the claimed memory device to perform a write operation, and wherein, in response to the second operation code, the claimed memory device samples write data corresponding to the write operation at a time determined using the value stored in the register. Thus, Applicants respectfully submit that, as the context of the claim makes clear, the recited limitation in question is a further limitation of the second operation code itself. As such, Applicants also respectfully submit that claim 151 is definite as it currently stands.

In view of the foregoing, Applicants respectfully submit that claim 151 is definite and should thus be allowable.

As the Examiner has acknowledged that claims 152-162 are rejected based only upon their dependency on claim 151, and claim 151 should be allowable as discussed above, Applicants respectfully submit that claims 152-162 are also definite and allowable for at least the reasons stated above with respect to claim 151.

Finally, Applicants would like to point out that claims 151-162 have previously been determined to be allowable in their current form multiple times by the U.S. Patent and Trademark

Office. See Notice of Allowances dated September 25, 2008, May 22, 2008, January 2, 2008, and June 17, 2007. Thus, withdrawal of the pending indefiniteness rejection would be consistent with those prior determinations of allowability.

In view of the foregoing, Applicants respectfully request that the aforementioned indefiniteness rejection of claims 151-162 be withdrawn.

IV. CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number, in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0206, and please credit any excess fees to the same deposit account.

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